

MINUTE ITEM

17. CANCELLATION OF GRAZING LEASE P.R.C. 1869.2, CLAUDE C. WEMPLE ..  
S.W.O. 7084.

After consideration of Calendar Item 8 attached, and upon motion duly  
made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO REFUND TO CLAUDE C. WEMPLE THE  
PREPAID AND UNEARNED RENTAL UNDER LEASE P.R.C. 1869.2, AMOUNTING TO  
\$39.64, BY CERTIFICATE OF RESTITUTION, SAID REFUND TO BE MADE FROM THE  
STATE SCHOOL FUND TO WHICH THE RENTALS WERE REMITTED.

Attachment

Calendar Item 8 (1 page)

*see amendment to  
amt. 528 action  
10/5/59  
pg 5280*

CALENDAR ITEM

8.

CANCELLATION OF GRAZING LEASE P.R.C. 1869.2, CLAUDE C. WEMPLE - S.W.O. 7084.

At its meeting on April 30, 1958 (Minute Item 34, page 4792), the Commission authorized the sale of the E $\frac{1}{2}$  of NE $\frac{1}{4}$ , NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , and Lots 1 and 2 of Section 36, T. 27 N., R. 15 E., M.D.M., containing 194.44 acres in Lassen County, to Claude C. Wemple. Said sale includes all the land embraced in Grazing Lease P.R.C. 1869.2, which was entered into on February 13, 1957 for a period of five years.

Section 6505.5 of the Public Resources Code provides that the sale of the leased land ipso facto terminates the lease. Patent was issued to Claude C. Wemple on June 24, 1959.

Section 6509 of the Public Resources Code provides that if a lease is terminated by sale of the land, the lessee shall surrender the lease to the Commission and will receive in exchange therefor from the Commission a certificate showing the proportionate amount of the annual lease rental to be refunded to the lessee for that portion of the leased land which has been disposed of by the State. Prepaid rental in this case has been computed to be \$39.64. Lease P.R.C. 1869.2 has been surrendered by the lessee as required.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO REFUND TO CLAUDE C. WEMPLE THE PREPAID AND UNEARNED RENTAL UNDER LEASE P.R.C. 1869.2, AMOUNTING TO \$39.64, BY CERTIFICATE OF RESTITUTION, SAID REFUND TO BE MADE FROM THE STATE SCHOOL FUND TO WHICH THE RENTALS WERE REMITTED.